

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERNEST J. BANKS,

Defendant.

8:04CR383

ORDER

Defendant Ernst J. Banks appeared before the court on Thursday, April 7, 2011 on a Petition for Warrant or Summons for Offender Under Supervision [577]. The defendant was represented by Jessica P. Douglas and the United States was represented by Assistant U.S. Attorney Michael D. Wellman. Through his counsel, the defendant waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). The government moved for detention. However, the defendant is in state custody. Therefore, the government's oral motion for detention shall be held in abeyance.

I find that the Report alleges probable cause and that the defendant should be held to answer for a final dispositional hearing before Judge Smith Camp.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Judge Laurie Smith Camp in Courtroom No.2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on **May 23, 2011 at 11:00 a.m.** Defendant must be present in person.

2. The government's motion for detention, pursuant to the Bail Reform Act, is held in abeyance pending the defendant's coming into federal custody.

3. The U.S. Marshal is authorized to return the defendant to the custody of Nebraska state authorities pending the final disposition of this matter and the U.S. Marshal for the District of Nebraska is directed to place a detainer with the correctional officer having custody of the defendant.

DATED this 8<sup>th</sup> day of April, 2011.

BY THE COURT:

s/ F. A. Gossett  
United States Magistrate Judge